

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05-10343-GAO

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ROBERT F. KEESE III,	)
	)
Plaintiff	)
	)
V.	)
	)
M/V PANORMOS, her engines, tackle,	)
machinery, appurtenances, apparel and	)
freight, etc., <i>in rem</i> , and MARMARAS	)
NAVIGATION, LTD., <i>in personam</i> ,	)
	)
Defendants	)

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**ASSENTED-TO MOTION TO CONTINUE MEDIATION DATE**

The defendants hereby move that the mediation currently scheduled for December 10, 2007, be continued to a date in January 2008 (discussed below). The grounds for this motion are set forth below.

1. The defendants' representative scheduled to participate in the mediation on December 10, John Devine, became ill suddenly at work on November 30, 2007. Mr. Devine remains ill, and, as a result, defendants are unable to complete necessary preparation for mediation on December 10.

2. Counsel for the parties recently received data from the National Marine Fisheries Service concerning damages, and counsel have cooperated with respect to the exchange of other information concerning damages. Counsel believe that the parties will be prepared to proceed with mediation of this case in January as indicated below.

3. Defendants' counsel understands from the Clerk that the following dates in January 2008 are available to the Court for mediation of this action: January 7, 10, 14, 17, and 18. Counsel for the parties will confirm their clients' availability on these dates, and counsel for the defendants will advise the Clerk by December 13 of the parties' availability for mediation on these dates. In the event that Mr. Devine's illness prevents him from participating in a mediation in January, the continuance requested in this assented-to motion will afford defendants the time necessary to identify another person to complete necessary preparation for and participation in the mediation in January.

By their attorneys,

"/s/ John J. Finn"

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ASSENTED TO:

"/s/ Michael J. Rauworth"

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Dated: December 5, 2007